

# **CITY COUNCIL AGENDA**

**AUGUST 15, 2000**

## **SYNOPSIS**

LINDA J. LE ZOTTE  
CHARLOTTE POWERS  
CINDY CHAVEZ  
VACANT  
MANNY DIAZ

DISTRICT 1  
DISTRICT 2  
DISTRICT 3  
DISTRICT 4  
DISTRICT 5

RON GONZALES MAYOR

FRANK FISCALINI  
GEORGE SHIRAKAWA, JR.  
ALICE WOODY  
JOHN DIQUISTO  
PAT DANDO

DISTRICT 6  
DISTRICT 7  
DISTRICT 8  
DISTRICT 9  
DISTRICT 10

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call 1 (408) 277-4424 or 1 (408) 998-5299 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

## **1 CALL TO ORDER AND ROLL CALL**

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**9:30 a.m. - Closed Session, Room 600, City Hall**  
**Closed Session Cancelled**

**1:30 p.m. - Regular Session, Council Chambers, City Hall**  
**Absent: Mayor Gonzales (excused)**  
**Council Member Diaz (excused)**  
**Vacant: Council District 4**

**7:00 p.m. - Public Hearings, Council Chambers, City Hall**  
**Absent: Mayor Gonzales (excused)**  
**Council member Diaz (excused)**  
**Vacant: Council District 4**

## **2 INVOCATION**

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**Stephanie Anna Plascencia, a seven-year-old student at Slonaker Elementary School, sang and performed to the lyrics of *La Situation* and *El Herradero*. (District 7)**

## **3 PLEDGE OF ALLEGIANCE**

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**Vice Mayor Fiscalini led in the Pledge of Allegiance.**

## **4 ORDERS OF THE DAY**

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**Approved.**

## **5 CEREMONIAL ITEMS**

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- a. Presentation of plaque to Louis (Bud) Towner for 4 years 7 months service on the Child Care Commission. (Mayor)  
**Vice Mayor Fiscalini presented the plaque to Bud Towner and expressed the City's appreciation for the educator's care and concern for today's youth.**
- b. Recognition of the San José International Airport's award for excellence in financial reporting for fiscal year ending 1999 from the Governmental Finance Officers Association (GFOA). (Woody)  
**Joining Vice Mayor Fiscalini at the Podium, Council Member Woody introduced Director of Aviation Ralph G. Tonseth, Anita Ong, and Deputy Director Terri Gomes who accepted the commendation recognizing the prestigious award presented to the City of San José's Airport Finance Division for excellence in financial reporting presented by the Government Finance Officers Association. Terri Gomes introduced Airport Finance Division employees and thanked them for their hard work and continued commitment to excellence.**

## **6 CONSENT CALENDAR**

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### **a. Minutes for Approval**

- (1) Regular Meeting of June 6, 2000  
**Approved.**
- (2) Joint City Council/Redevelopment Agency Meeting of June 6, 2000  
**Approved.**

### **b. Ordinances for Final Adoption**

- (1) ORD. NO. 26163 – Rezones certain real property situated on the southwest corner of Redmond Avenue and El Paseo Drive. C 00-05-040  
**Ordinance No. 26163 adopted.**
- (2) ORD. NO. 26164 - Rezones certain real property situated at the terminus of Frost Drive at the intersection of Hostetter Road. PDC 00-03-017  
**Ordinance No. 26164 adopted.**
- (3) ORD. NO. 26165 - Rezones certain real property situated on the west side of Silver Creek Valley Road, 700 feet northerly of Beaumont Canyon Drive. PDC 99-07-067  
**Ordinance No. 26165 adopted.**

## 6 CONSENT CALENDAR

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### b. Ordinances for Final Adoption

- (4) ORD. NO. 26166 - Rezones certain real property situated in the area bounded by North First Street, Bassett Street, Ryland Street, and State Route 87 (Guadalupe Parkway). C 00-04-026  
**Ordinance No. 26166 adopted.**
- (5) ORD. NO. 26167 - Rezones certain real property situated on the south side of the Alameda, approximately 100 feet easterly of Sunol Street. C 00-04-028  
**Ordinance No. 26167 adopted.**
- (6) ORD. NO. 26168 - Rezones certain real property situated on the east side of Almaden Expressway, approximately 650 feet north of Winfield Boulevard. C 00-06-050  
**Ordinance No. 26168 adopted.**
- (7) ORD. NO. 26169 - Rezones certain real property situated on the northwest corner of The Villages Parkway and Ashley Way. PDC 00-02-011  
**Ordinance No. 26169 adopted.**
- (8) ORD. NO. 26170 - Rezones certain real property situated on the southeast corner of Delta Road and San Felipe Road. C 00-05-034  
**Ordinance No. 26170 adopted.**

### c. Public Hearings Set by Council

- (1) Adoption of a resolution initiating proceedings and setting a date for Council consideration of the reorganization of territory designated as Buena Vista No. 1 which involves the annexation to the City of San José of 38.0 acres of land, bounded by West San Carlos Avenue, Scott Street, Chiechi Avenue, Meridian Avenue, and both sides of Buena Vista Avenue, and the detachment of the same from the Sunol Sanitary District, Burbank Sanitary District, County Lighting District, and Central Fire District. CEQA: Resolution No. 65459. (Planning, Building and Code Enforcement)  
[Deferred from 8/3/99 – Item 6c(1) et al., and 08/1/00 – Item 6c(1)]  
**Continued to 10/17/00.**
- (2) Adoption of a resolution initiating proceedings for an ordinance of the City of San José to consider a comprehensive rewrite and update of Title 20, the Zoning Code; setting a public hearing on October 17, 2000 at 7:00 p.m.; and referring the ordinance to the Planning Commission for its recommendation and comments. (Planning, Building and Code Enforcement)  
**Resolution No. 69829 adopted.**

## 6 CONSENT CALENDAR

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### d. Plans and Specifications

- (1) TRACT NO. 9279 – Blossom Hill Road near Cahalan Avenue – Kaufman and Broad South Bay, Inc. (Developer) – 51 single family detached residential units. Approval of a parkland agreement and adoption of resolutions approving the plans, final map, and contract for Tract No. 9279. CEQA: ND. District 10. (Public Works)

[Deferred from 8/8/00 – Item 6d(1)]

**Resolution Nos. 69830-69832 adopted.**

### e. Contracts/Agreements

- (1) Approval of a continuation agreement with Emergency Consulting & Research Center for development of the Fire Department Strategic Plan, and extending the agreement term from June 30, 2000 to December 30, 2000. (Fire)

**Continuation Agreement Approved.**

**Council directed the Administration to submit the consultant's final draft to Council via the Finance and Technology Committee within 2 to 4 weeks and the completed Plan due prior to December 2000, and directed the City Manager to define more clearly criteria for determining when an issue is sent to Council Committee or directly to Council.**

- (2) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 # 5, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

- (3) Approval of award of open purchase orders for supplies, materials, equipment, and services for FY 2000-2001 # 6, and authorization for the Director of General Services to execute the purchase orders. (General Services)

**Approved.**

- (4) Approval of an option to purchase one additional asphalt paving machine from Great Western Equipment (San José) for the Department of Streets and Traffic at the same bid price, at a total cost of \$45,588.41, including tax, and authorization for the Director of General Services to execute the purchase order for the:

- (a) Immediate purchase of one (1) asphalt paving machine.
- (b) Subsequent purchase of the additional units until September 14, 2000 at the same bid price, without further Council action other than the appropriation of necessary funds.

(General Services)

**Approved.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (5) Adoption of a resolution authorizing the Director of General Services to execute a sole source purchase agreement with Megadata Corporation, for the purchase of a long-range aircraft radar system (PASSUR) for the Department of Aviation, in the amount of \$237,462.50, including sales tax, installation, and twelve month maintenance. (General Services)

**Resolution No. 69833 adopted.**

- (6) (a) Adoption of a resolution authorizing the City Manager to negotiate and execute an agreement with The David and Lucile Packard Foundation for the implementation of the Family Care Small Business Assistance Program (FCSBA) in an amount not to exceed \$98,080, for the period July 1, 2000 to June 30, 2000.

**Resolution No. 69834 adopted.**

- (b) Adoption of an appropriation ordinance and funding sources resolution amendments in the General Fund in the amount of \$98,080.

(Parks, Recreation and Neighborhood Services/City Manager's Office)

**Ordinance No. 26173 adopted.**

**Resolution No. 69835 adopted.**

- (7) Approval of the first amendment to the agreement with Envirosience, Inc., for consultant services for the Airport Asbestos Removal Project to extend the term of the agreement from September 28, 2000 to December 30, 2001, and increase compensation by \$198,000, from \$162,000 to \$360,000. (Public Works)

**Approved.**

- (8) Adoption of a resolution authorizing the City Attorney to execute the first amendment to the agreement with McCutchen Doyle Brown & Enersen for legal services in connection with the real estate portfolio for the Boards of Administration of the Federated City Employees' Retirement System and the Police and Fire Department Retirement Plan, to increase the compensation by \$150,000, for a total amount not to exceed \$325,000.

(Board of Administration for the Police & Fire Department Retirement Plan)

**Resolution No. 69836 adopted.**

- (9) Approval of a joint- jurisdiction agreement between the City of San José and the Town of Los Gatos for traffic signal maintenance at:

- (a) Blossom Hill Road and Harwood Road;  
(b) Blossom Hill Road and Leigh Avenue; and,  
(c) South Bascom Avenue and Los Gatos Boulevard and Samaritan Drive.  
CEQA: Exempt. (Streets and Traffic)

**Approved.**

## 6 CONSENT CALENDAR

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### e. Contracts/Agreements

- (10) Approval of an agreement with Outdoor Systems, Inc. for the purchase of two (2) permanent easements on a portion of a property located at the southeast intersection quadrant of Willow Street and Minnesota Avenue, in the amount of \$3,100, and authorization for the City Manager to execute the necessary documents to complete the transaction. CEQA: Exempt. (Public Works)  
(Rules Committee referral 8/9/00)

**Approved.**

- (11) Approval of a Subordination, Attornment, and Non-Disturbance Agreement with Heller Financial covering the City's leasehold interests in property located at 777 North First Street, owned by La Familia, L.P., a California Limited Partnership.  
(Public Works)  
(Orders of the Day 4a)

**Approved.**

### f. Routine Legislation

- (1) Approval of the Fiscal Years 1998-1999 and 1999-2000 San José Arena Management Normal Capital Repairs and Replacements and Parking Capital Repairs and Replacements Budgets. (San José Arena Authority)  
[Deferred from 6/13/00 – Item 6f(5) et al., and 8/1/00 – Item 6f(3)]

**Approved.**

- (2) Approval of appropriation ordinance and funding source resolution amendments increasing the Library Department's grants appropriation by \$47,000 for family literacy programs. (City Manager's Office)

**Ordinance No. 26174 adopted.**

**Resolution No. 69837 adopted.**

- (3) (a) Adoption of a resolution to accept an award for an Office of Criminal Justice Planning (OCJP) "Anti-Drug Abuse" (ADA) Grant in the amount of \$127,662.

**Resolution No. 69838 adopted.**

- (b) Adoption of appropriation ordinance and funding sources resolution amendments in the General Fund to increase the Police Department's personal services and non-personal expenses appropriations for expenses related to the grant.

(City Manager's Office/Police)

**Ordinance No. 26175 adopted.**

**Resolution No. 69839 adopted.**

## 6 CONSENT CALENDAR

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### f. Routine Legislation

- (4) Adoption of appropriation ordinance and funding sources resolution amendments in the Services for Redevelopment Capital Projects Fund with a net impact to the fund of \$231,000. (City Manager's Office)  
**Ordinance No. 26176 adopted.**  
**Resolution No. 69840 adopted.**
- (5) Adoption of appropriation ordinance and funding sources resolution amendments in the General Fund and the development enhancement fund to coordinate administration of the Revolving Loan Fund Program. (City Manager's Office)  
**Ordinance No. 26177 adopted.**  
**Resolution No. 69841 adopted.**
- (6) Approval of City Manager Del Borgsdorf's travel to Cincinnati, Ohio, from September 17-20, 2000, to attend the International City/County Management Association (ICMA) 86<sup>th</sup> Annual Conference. (City Manager's Office)  
**Approved.**
- (7) Adoption of a resolution declaring a 638 square foot portion of the parcel of City-owned land, located at 1771 Via Cinco de Mayo, surplus to the needs of the City, and authorizing its sale to the Santa Clara Valley Transportation Authority.  
(Public Works)  
**Resolution No. 69842 adopted.**
- (8) Approval of the appointment of a representative to the Downtown Parking Board.  
(Mayor)  
(Rules Committee referral 8/9/00)  
**Council approved the appointment of Jason Clark as a Parking Facility Owner Representative.**
- (9) Approval of Council Member Chavez's travel to Tanzania and Uganda, Africa, from August 23 through September 7, 2000, as a delegate with The American Council of Young Political Leaders (ACYPL). Funding: ACYPL and personal.  
(Chavez)  
(Rules Committee referral 8/9/00)  
**Approved.**

**END OF CONSENT CALENDAR**



## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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**a. Report of the Study Session**

**Mayor Gonzales, Chair**

**No Report.**

**b. Report of the Rules Committee -Meeting of August 2, 2000**

**Vice Mayor Fiscalini, Chair**

- (1) Review August 15, 2000 Draft Agenda

**The Committee approved the August 15, 2000 City Council Agenda with two additions.**

- (2) Add New Items to August 8, 2000 Amended Agenda

**The Committee recommended six additions to the August 8, City Council Agenda.**

- (3) Meeting Schedules

**The Committee approved the following date for a special Economic and Community Development Committee meeting to review the proposed changes in the signage regulation: Monday, August 14, 2000, 1:30 p.m. in Room 106.**

- (4) The Public Record

**The Committee noted and filed the Public Records for the periods June 21 through July 11, 2000 and July 12-25, 2000.**

- (5) Request to use Council General funds to attend League of California Cities Annual Conference in Anaheim, CA, September 6-9, 2000

**The Committee approved the use of Council General funds by Council Members Dando and Woody to attend the League of California Cities' Annual Conference in Anaheim, CA, September 6-9, 2000.**

- (6) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee

- (a) Report back on Parks and Recreation Commission request to change Commission terms from one four-year term to two three-to-four year terms

**See Item 9d for Council action taken.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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### **b. Report of the Rules Committee – Meeting of August 2, 2000 - (Cont'd.)**

#### **Vice Mayor Fiscalini, Chair**

- (6) Council Referrals for Assignment to Appropriate Committee, Administration, or Council Appointee
  - (b) Report back on Senior Citizens Commission request to change Commission terms from one four-year term to two three-to-four year terms

**See Item 9e for Council action taken.**

**The Committee referred Items 6a and 6b to Council for general discussion at the August 15<sup>th</sup> meeting, and directed the City Clerk to prepare a memorandum for Council giving additional information and history on the City's Board and Commission term lengths.**

- (c) Report back on request to begin process to add a retiree to the Federated Retirement Board  
**The Committee accepted the status report and requested the Administration return to the Rules Committee in 20 days with an update on the request to add a retiree representative to the Federated Retirement Board.**

- (7) Oral communications  
**None Presented.**

- (8) Adjournment  
**The meeting was adjourned at 2:10 p.m.**

**The Rules Committee Report and actions of August 2, 2000 accepted with action on Item 7b(6)(a) taken at Item 9d and Item 7b(6)(b) acted upon at Item 9e.**

### **b. Report of the Rules Committee - Meeting of August 9, 2000 – (Partial)**

#### **Vice Mayor Fiscalini, Chair**

- (6) Approve appointment of 2000 League of California Cities voting delegate and alternate at the Annual Business Meeting

**The Committee recommended Council Member Woody to be designated as the voting delegate, and Council Member Shirakawa, Jr., as the alternate voting delegate, to the September 9, 2000 Annual Business Meeting for the League of California Cities.**

**The Rules Committee Report (Partial) and actions of August 9, 2000 accepted.**

## **7 COMMISSION, COMMITTEE, AND STANDING REPORTS**

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- c. **Report of the Finance and Technology Committee**  
**Council Member Woody, Chair**  
**No Report.**
- d. **Report of the Economic and Community Development Committee**  
**Council Member Diaz, Chair**  
**No Report.**
- e. **Report of the Transportation and Environment Committee**  
**Council Member Powers, Chair**  
**No Report.**
- f. **Report of the Education, Neighborhoods, Youth, and Seniors Committee**  
**Council Member Shirakawa, Jr., Chair**  
**No Report.**

## **8 LAND USE AND DEVELOPMENT**

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- a. PUBLIC HEARING on Historic District amendment to expand the River Street City Landmark Historic District to include eight additional properties located west of N. Almaden Street on both sides of W. St. John Street, and adoption of a resolution approving or disapproving the proposed expansion. (Vellequette-Winner Investors and Green Valley Corporation, Owners). CEQA: Resolution No. 64273. Historic Landmarks Commission recommends approval (7-0-0).  
HD 97-107 – District 3  
(Continued from 8/1/00 – Item 8a)  
**Deferred to 08/29/00.**  
**Council directed the Administration to provide Council with additional information on adaptive reuses of the structures and the City's intentions for the area; whether the additional properties will be included with those of the Santa Clara County Water District and the Guadalupe River Flood Control Projects; clarify the existence of final project designs, implementation plans and timelines for completion of Historic District expansion and rehabs; and the status of the City's interest in acquiring the properties.**

## 9 GENERAL GOVERNMENT

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- a. Adoption of a resolution authorizing the Director of Aviation to:
  - (1) Exercise the fourth one-year option of the Terminal A Taxicab Concession Agreement with Yellow Checker Cab Company, Inc., extending the term from October 1, 2000 to September 30, 2001.
  - (2) Exercise the fourth one-year option of the Terminal C Taxicab Concession Agreement with United Taxicab Corporation, extending the term from October 1, 2000 to September 30, 2001.CEQA: Resolution No. 67380. (Airport)  
**Resolution No. 69843 adopted.**
  
- b. Direction to staff:
  - (1) To issue a follow-up report on the Stormwater NPDES Permit after the Regional Water Quality Control Board issues the Draft Permit Order, now scheduled for release in September 2000.
  - (2) To provide City Council with the Efficiency Study on the Urban Runoff Program after the impacts of any new regulations are analyzed and in time for discussion early in the FY 2001-02 budget process.(Environmental Services)  
**Deferred to 08/22/00.**
  
- c. Approval of an agreement with Gensler Architects for master architectural services for the San José International Airport for the period July 5, 2000 to July 4, 2003, in an amount not to exceed \$4,500,000. (Public Works/Airport)  
**Approved.**
  
- d. Discussion of changing Parks and Recreation Commission terms from one four-year term to two three-to-four year terms. [Rules Committee referral 8/2/00 – Item 7b(6)(a)]  
**Deferred to 08/22/00.**
  
- e. Discussion of changing Senior Citizens Commission terms from one four-year term to two three-to-four year terms. [Rules Committee referral 8/2/00 – Item 7b(6)(b)]  
**Deferred to 08/22/00.**
  
- f.
  - (1) Approval of an amendment to the City loan documents modifying the \$1,144,000 City loan for The YWCA Villa Nueva Project.
  - (2) Authorize the Director of Housing to execute the required documents.(Housing)  
(Rules Committee referral 8/9/00)  
**Items 9f(1) and 9f(2) dropped.**

## 10 FISCAL AFFAIRS

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- a. (1) PUBLIC HEARING on Improvement District (ID) No. 99-218SJ (Hellyer-Piercy).  
**Public Hearing Held.  
Testimony Presented.**
- (2) Order tabulation of the property owner ballots.  
**Property Owner Ballots tabulated with the following results reported by the Assistant City Clerk: Property Owners to be assessed in the amount of \$24,410,686.36 have returned ballots in support of the Assessment. Property Owners to be assessed in the amount of \$3,557,480.96 have returned ballots in opposition to the Assessment. Ballots submitted in support of the Assessment exceed ballots submitted in opposition to the Assessment. The City Council may vote on imposition of the Assessment.**
- (3) Depending on the outcome of the balloting, adopt resolutions:
- (a) Approving the Engineer's Report for ID No. 99-218SJ (Hellyer-Piercy), confirming the assessments, ordering the work and acquisitions, and directing other actions.  
**Resolution No. 69844 adopted.**
- (b) Expressing intent to reimburse the City and Developer with proceeds of Bonds to be issued for the purpose of financing ID No. 99-218SJ.  
CEQA: Resolution No. 69699. (Public Works)  
**Resolution No. 69845 adopted.**

## 11 JOINT CITY COUNCIL/REDEVELOPMENT AGENCY ITEMS

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### **CONVENE REDEVELOPMENT AGENCY BOARD TO CONSIDER ITEM 11a IN A JOINT SESSION**

- a. Approval of Council Policy 12-1 which establishes a consistent and uniform approach for estimating and reporting construction project costs and establishing construction project budgets. (City Manager's Office/Redevelopment Agency)  
(Deferred from 6/27/00 – Item 11a and 8/1/00 – Item 11a)  
**Deferred to 08/22/00.**

### **ADJOURN REDEVELOPMENT AGENCY BOARD PORTION OF THE MEETING**

**12 PERMITS AND LICENSES**

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**13 PUBLIC SAFETY AND WELFARE**

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**14 ORAL COMMUNICATIONS**

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**Cathy S. Brandhorst spoke on world affairs and the condition of government agencies.**

**Following Oral Communications, the City Council recessed at 2:43 p.m. and reconvened at 7:00 p.m., Council Chambers, City Hall.**

**SAN JOSÉ CITY COUNCIL**  
**AUGUST 15, 2000**  
**7:00 P.M.**

**15 PUBLIC HEARINGS**

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- a. PUBLIC HEARING and adoption of a resolution authorizing the reorganization of territory designated as Monterey Park #103, which involves the annexation to the City of San José of 60.55 acres of land, located on the south side of Curtner Avenue, opposite Stone Avenue, and the detachment of the same from the Central Fire Protection District, Santa Clara County Library Service District, and the Santa Clara Valley Water District. CEQA: Resolution No. 65459. (Planning, Building, and Code Enforcement)  
(Continued from 2/16/99 – Item 15b et al., and 6/20/00 – Item 15a)

**Dropped.**

- b. PUBLIC HEARING ON Approval of an ordinance amending Section 20.44 of Title 20 of the San José Municipal Code related to single-family house permits by revising 1) the level of discretion related to permits required for houses on the historic inventory or 2) in a conservation area to administrative, and minor technical changes within the procedures and processes established in the ordinance. CEQA: Exempt.  
Citywide

**Continued to 09/05/00.**

- c. PUBLIC HEARING ON UGB MODIFICATION. Determine whether the proposed request to modify the Greenline/Urban Growth Boundary (UGB) by expanding it to include approximately 1,817 acres of the Richmond/Young Ranches and other properties, located approximately 2,500 feet southerly of the intersection of Silver Creek and San Felipe Roads and adjacent to the southern boundary of the Silver Creek Planned Residential Community, constitutes a *Minor Modification* of the UGB and take appropriate action based on this determination. Planning Commission makes the following recommendations: (1) Recommend that the City Council confirm the determination of the Director of Planning, Building and Code Enforcement that the proposal to expand the Greenline/Urban Growth Boundary (UGB) to include 1,814 acres of the Richmond/Young Ranches does not constitute a minor modification of the UGB as defined in Title 18 of the San Jose Municipal Code. (2) Recommend that the City Council find that the Applicant's proposal constitutes a significant modification to the UGB which should only be considered during a comprehensive update of the General Plan and advise the Applicant that he may resubmit this request at such time as the City Council chooses to conduct a comprehensive update of the General Plan. (3) Recommend that the City Council not undertake a comprehensive update of the General Plan at this time  
Districts 2 & 8

**Continued to 09/05/00.**

## 15 PUBLIC HEARINGS

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- d. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of Cypress Avenue, 40 feet northerly of Olsen Drive, from R-1:B-8 Residence Zoning District to A(PD) Planned Development Zoning District, to allow two single-family detached residential units on 0.37 gross acre. (Daryoush Marhamat, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval with conditions. Planning Commission recommends approval with the conditions that the minimum rear setback be at least 10 feet and that the roof of the existing historic structure be replaced by the developer if a flat roof is structurally feasible (4-3-0).

PDC 98-09-069 – District 1

(Continued from 3/2/99 – Item 15d et al., and 8/1/00 – Item 15c)

**Ordinance No. 26178 passed for publication.**

**Council approved the project with the conditions proposed in Council Member LeZotte's memorandum of 08/15/00.**

- e. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the east side of Pleasant Knoll drive, approximately 300 feet westerly from the intersection of Silence Drive and Pleasant Crest Drive, from A-Agricultural Zoning District to A(PD) Zoning District, to allow 12 single-family detached dwelling units on 3.9 gross acres. (Peter and Judith Felthousen, Owner/Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (6-0-0-1).

PDC 99-05-045 - District 8

(Continued from 8/1/00 – Item 15i)

**Continued to 09/05/00.**

- f. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at northwest corner of Almaden Expressway and Highway 85, from A(PD) Planned Development Zoning District to A(PD) Planned Development Zoning District, to allow two commercial buildings totaling 140,314 square feet on 18.2 gross acres. (Giacomazzi, Owner; The Home Depot, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (7-0-0).

PDCSH 99-11-092 - District 9

(Continued from 8/1/00 – Item 15k)

**Ordinance No. 26179 passed for publication.**

- g. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at northwest corner of San Felipe Road and Keaton Loop, from A-Agricultural Zoning District to A(PD) Zoning District, to allow up to 9 single family detached residences on 1.6 gross acres. (Robert E. Lyter, Owner; Braddock & Logan, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (7-0-0).

PDC 99-10-084 – District 8

**Ordinance No. 26180 passed for publication.**



## 15 PUBLIC HEARINGS

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- h. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the west side of King Road at the westerly terminus of Commodore Drive, from A-Agricultural Zoning District to A(PD) Planned Development Zoning District, to allow up to 80 multi-family attached residential units on 4.49 gross acres. (Warner LLC, Owner; First Community Housing, Developer). CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (7-0-0).

PDCSH 00-03-022 - District 4

**Continued to 08/29/00.**

- i. PUBLIC HEARING ON PLANNED DEVELOPMENT REZONING of the property located at the north side of Curtner Avenue, 90 feet easterly of Salerno Drive, from County Zoning District to A(PD) Planned Development Zoning District, to allow four single-family courthomes and eight single-family detached residential units on 1.6 gross acres. (Charles H. Nelson et.al, Owner; DKB Homes, Inc., Developer.) CEQA: Negative Declaration. Director of Planning, Building and Code Enforcement recommends approval. Planning Commission recommends approval (6-1-0).

PDC 99-09-077 - District 9

**Ordinance No. 26181 passed for publication.**

- j. PUBLIC HEARING ON CONFORMING REZONING of the property located at the northeast corner of Parkmoor and Meridian Avenues (590 Meridian Avenue), from C-3 Commercial Zoning District to I-Industrial Zoning District, to allow industrial uses on 1.23 gross acres. (Anthony Kralyevich, Owner/Developer). CEQA: Resolution No. 65459. Director of Planning, Building, and Code Enforcement recommends approval. No Planning Commission action required.

C 00-07-058 – District 6

**Ordinance No. 26182 passed for publication.**

## 16 CLOSED SESSION REPORT

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## 17 ORAL COMMUNICATIONS

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## 18 ADJOURNMENT

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**The Council of the City of San José adjourned at 7:45 p.m. to meet again on Saturday, August 19, 2000, at 9:00 a.m. at Shirakawa Community Center, 2072 Lucretia Avenue, San José, CA, for a public hearing on the Healthy Neighborhoods Venture Fund.**